

FILED

MAR 21 2019

Clerk, U S District Court  
District Of Montana  
Billings

IN THE UNITED STATES DISTRICT COURT  
FOR THE DISTRICT OF MONTANA  
BILLINGS DIVISION

UNITED STATES OF AMERICA,

Plaintiff,

vs.

JOHN HENRY SCHNEIDER,

Defendant.

Cause No. CR 17-77-BLG-SPW

ORDER

Defendant Schneider pled guilty to one count of concealing assets from a bankruptcy trustee. On August 16, 2018, he was sentenced to serve 24 months in prison and three years' supervised release. He must also pay \$308,945 in restitution. *See* Judgment (Doc. 43) at 2–3, 6.


On March 15, 2019, counsel for nine restitution payees moved the Court to compel Schneider “to make full restitution and to impose fines.” Mot. to Am. (Doc. 79) at 3 ¶ 12. Counsel states that Schneider has failed to comply with the payment schedule imposed in the Judgment and has, to date, tendered only \$36,400. *See id.* at 2 ¶ 6.

The payment schedule to which counsel refers, *see id.* at 2 ¶ 5, is a special condition of supervision, *see* Judgment (Doc. 43) at 5 ¶ 2, *modified by* Order Nunc

Pro Tunc (Doc. 76). Supervised release does not commence until Schneider is released from prison. While he remains in prison, he is not in a position to make substantial payments. But when he is released, he must “make payments at a rate of \$12,872.70 per month, or as otherwise directed by United States Probation.”

Accordingly, IT IS HEREBY ORDERED that the restitution payees’ motion to compel Schneider to pay restitution and fines (Doc. 79) is DENIED.

DATED this 21<sup>st</sup> day of March, 2019.

  
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Susan P. Watters  
United States District Court